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MAY 17 2006

OFFICE OF PETITIONS

In re Application of :
Montgomery et al. : DECISION
Application No. 09/677,919 : ON PETITION
Filed : October 3, 2000 :
Attorney Docket Number: :
LUC-170/Mon*9 :
:

This is a decision in response to the petition under 37 CFR 1.137(b), filed March 15, 2006, to revive the above-identified application.

The petition is granted.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action, mailed June 16, 2005. The Office action set a shortened statutory period for reply of three (3) months from the mail date of the Notice, and also provided for extensions of time under 37 CFR 1.136(a). Applicant filed a reply on August 22, 2005; however, the reply failed to place the application in condition for allowance. Applicant was so notified in an Advisory Action, mailed November 17, 2005. No timely and proper reply having been received, the application became abandoned September 17, 2005. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

With the instant petition, Applicant has filed a Request for Continued Examination ("RCE") and a submission in the form of an Amendment.

This application is being returned to Technology Center 2645 for processing of the RCE and Amendment in due course.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3232.

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